

## INSPECTOR GENERAL ACT OF 1978

Pub. L. 95-452, Oct. 12, 1978, 92 Stat. 1101, as amended by Pub. L. 96-88, title V, § 508(n), Oct. 17, 1979, 93 Stat. 694; Pub. L. 97-113, title VII, § 705(a)(1)-(3), Dec. 29, 1981, 95 Stat. 1544; Pub. L. 97-252, title XI, § 1117(a)-(c), Sept. 8, 1982, 96 Stat. 750-752; Pub. L. 99-93, title I, § 150(a), Aug. 16, 1985, 99 Stat. 427; Pub. L. 99-399, title IV, § 412(a), Aug. 27, 1986, 100 Stat. 867; Pub. L. 100-504, title I, §§ 102(a)-(d), (f), (g), 104(a), 105-107, 109, 110, Oct. 18, 1988, 102 Stat. 2515-2529; Pub. L. 100-527, § 13(h), Oct. 25, 1988, 102 Stat. 2643; Pub. L. 101-73, title V, § 501(b)(1), title VII, § 702(c), Aug. 9, 1989, 103 Stat. 393, 415; Pub. L. 102-233, title III, § 315(a), Dec. 12, 1991, 105 Stat. 1772; Pub. L. 103-82, title II, § 202(g)(1), (2)(A), (3)(A), (4), (5), Sept. 21, 1993, 107 Stat. 889, 890; Pub. L. 103-204, § 23(a), Dec. 17, 1993, 107 Stat. 2407; Pub. L. 103-296, title I, § 108(l), Aug. 15, 1994, 108 Stat. 1488; Pub. L. 103-325, title I, § 118(a), Sept. 23, 1994, 108 Stat. 2188

### § 1. Short title

This Act be cited as the “Inspector General Act of 1978”.

(Pub. L. 95-452, § 1, Oct. 12, 1978, 92 Stat. 1101.)

#### SHORT TITLE OF 1988 AMENDMENT

Pub. L. 100-504, title I, § 101, Oct. 18, 1988, 102 Stat. 2515, provided that: “This title [enacting sections 8B-8F of Pub. L. 95-452, set out in this Appendix, amending sections 2, 4-6, 8, 9, and 11 of Pub. L. 95-452, set out in this Appendix, sections 5315 and 5316 of this title, sections 405 and 1105 of Title 31, Money and Finance, and section 410 of Title 39, Postal Service, repealing sections 3521-3527 and 7138 of Title 42, The Public Health and Welfare, and section 231v of Title 45, Railroads, and enacting provisions set out as notes under sections 1, 5, 8D, 8E, and 9 of Pub. L. 95-452, set out in this Appendix] may be cited as the ‘Inspector General Act Amendments of 1988’.”

#### PAYMENT AUTHORITY SUBJECT TO APPROPRIATIONS

Pub. L. 100-504, title I, § 112, Oct. 18, 1988, 102 Stat. 2530, provided that: “Any authority to make payments under this title [see Short Title of 1988 Amendment note above] shall be effective only to such extent as provided in appropriations Acts.”

#### ACT REFERRED TO IN OTHER SECTIONS

The Inspector General Act of 1978 is referred to in title 7 section 6911; title 10 sections 133, 141, 1034, 2409, 3020, 5020, 8020; title 20 sections 767, 1082, 3412, 3422; title 22 sections 2593, 2877, 3929, 4861, 6207; title 29 sections 49h, 1574, 1575; title 31 sections 902, 3521, 3801, 3808, 9105; title 38 sections 312, 7366; title 41 sections 265, 422; title 42 sections 9651, 12651e; title 48 sections 1422d, 1599, 1668, 1681b.

### § 2. Purpose and establishment of Offices of Inspector General; departments and agencies involved

In order to create independent and objective units—

(1) to conduct and supervise audits and investigations relating to the programs and operations of the establishments listed in section 11(2);

(2) to provide leadership and coordination and recommend policies for activities designed (A) to promote economy, efficiency, and effectiveness in the administration of, and (B) to prevent and detect fraud and abuse in, such programs and operations; and

(3) to provide a means for keeping the head of the establishment and the Congress fully and currently informed about problems and deficiencies relating to the administration of such programs and operations and the necessity for and progress of corrective action;

there is hereby established in each of such establishments an office of Inspector General.

(Pub. L. 95-452, § 2, Oct. 12, 1978, 92 Stat. 1101; Pub. L. 96-88, title V, § 508(n)(1), Oct. 17, 1979, 93 Stat. 694; Pub. L. 97-113, title VII, § 705(a)(1), Dec. 29, 1981, 95 Stat. 1544; Pub. L. 97-252, title XI, § 1117(a)(1), Sept. 8, 1982, 96 Stat. 750; Pub. L. 99-93, title I, § 150(a)(1), Aug. 16, 1985, 99 Stat. 427; Pub. L. 99-399, title IV, § 412(a)(1), Aug. 27, 1986, 100 Stat. 867; Pub. L. 100-504, title I, § 102(a), (b), Oct. 18, 1988, 102 Stat. 2515; Pub. L. 100-527, § 13(h)(1), Oct. 25, 1988, 102 Stat. 2643.)

## CODIFICATION

Amendment by Pub. L. 100-527 amended section as it existed prior to amendment by Pub. L. 100-504, see Effective Date of 1988 Amendments note below.

## AMENDMENTS

1988—Pub. L. 100-504 substituted “there” for “thereby” in concluding provisions and amended par. (1) generally. Prior to amendment, par. (1), as amended by Pub. L. 100-527, read as follows: “to conduct and supervise audits and investigations relating to programs and operations of the Department of Agriculture, the Department of Commerce, the Department of Defense, the Department of Education, the Department of Housing and Urban Development, the Department of the Interior, the Department of Labor, the Department of Transportation, the Department of Veterans Affairs, the Agency for International Development, the Community Services Administration, the Environmental Protection Agency, the General Services Administration, the National Aeronautics and Space Administration, the Small Business Administration, the United States Information Agency, and the Department of State;”.

Par. (1). Pub. L. 100-527 inserted “the Department of Veterans Affairs,” and struck out “the Veterans’ Administration,” after “United States Information Agency,”. See Codification note above.

1986—Par. (1). Pub. L. 99-399 inserted “the United States Information Agency,”.

1985—Par. (1). Pub. L. 99-93 inserted reference to the Department of State.

1982—Par. (1). Pub. L. 97-252, § 1117(a)(1), inserted “the Department of Defense,”.

1981—Par. (1). Pub. L. 97-113 inserted “the Agency for International Development,”.

1979—Par. (1). Pub. L. 96-44 inserted “the Department of Education,”.

## EFFECTIVE DATE OF 1988 AMENDMENTS

Amendment by Pub. L. 100-527 effective Mar. 15, 1989, see section 18(a) of Pub. L. 100-527, set out as a Department of Veterans Affairs Act note under section 301 of Title 38, Veterans’ Benefits.

Amendment by Pub. L. 100-504 effective 180 days after Oct. 18, 1988, see section 113 of Pub. L. 100-504, set out as a note under section 5 of Pub. L. 95-452 in this Appendix.

## EFFECTIVE DATE OF 1979 AMENDMENT

Amendment by Pub. L. 96-88 effective May 4, 1980, with specified exceptions, see section 601 of Pub. L. 96-88, set out as an Effective Date note under section 3401 of Title 20, Education.

## SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in title 22 section 4861; title 42 section 8262f.

### § 3. Appointment of Inspector General; supervision; removal; political activities; appointment of Assistant Inspector General for Auditing and Assistant Inspector General for Investigations

(a) There shall be at the head of each Office an Inspector General who shall be appointed by the President, by and with the advice and consent of the Senate, without regard to political affiliation and solely on the basis of integrity and demonstrated ability in accounting, auditing, financial analysis, law, management analysis, public administration, or investigations. Each Inspector General shall report to and be under the general supervision of the head of the establishment involved or, to the extent such authority is delegated, the officer next in rank below

such head, but shall not report to, or be subject to supervision by, any other officer of such establishment. Neither the head of the establishment nor the officer next in rank below such head shall prevent or prohibit the Inspector General from initiating, carrying out, or completing any audit or investigation, or from issuing any subpoena during the course of any audit or investigation.

(b) An Inspector General may be removed from office by the President. The President shall communicate the reasons for any such removal to both Houses of Congress.

(c) For the purposes of section 7324 of title 5, United States Code, no Inspector General shall be considered to be an employee who determines policies to be pursued by the United States in the nationwide administration of Federal laws.

(d) Each Inspector General shall, in accordance with applicable laws and regulations governing the civil service—

(1) appoint an Assistant Inspector General for Auditing who shall have the responsibility for supervising the performance of auditing activities relating to programs and operations of the establishment, and

(2) appoint an Assistant Inspector General for Investigations who shall have the responsibility for supervising the performance of investigative activities relating to such programs and operations.

(Pub. L. 95-452, § 3, Oct. 12, 1978, 92 Stat. 1101.)

#### TRANSITIONAL PROVISIONS RELATING TO APPOINTMENT OF INSPECTOR GENERAL OF FEDERAL DEPOSIT INSURANCE CORPORATION

Pub. L. 103-204, § 23(c), Dec. 17, 1993, 107 Stat. 2408, provided that:

“(1) CURRENT SERVICE.—Except as otherwise provided by law, the individual serving as the Inspector General of the Federal Deposit Insurance Corporation before the date of enactment of this Act [Dec. 17, 1993] may continue to serve in such position until the earlier of—

“(A) the date on which the President appoints a successor under section 3(a) of the Inspector General Act of 1978 [subsec. (a) of this section]; or

“(B) the date which is 6 months after the date of enactment of this Act.

“(2) DEFINITION.—For purposes of paragraph (1), the term ‘successor’ may include the individual holding the position of Inspector General of the Federal Deposit Insurance Corporation on or after the date of enactment of this Act.”

## SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in title 10 section 141; title 12 section 1441a; title 41 section 254d; title 42 section 902.

### § 4. Duties and responsibilities; report of criminal violations to Attorney General

(a) It shall be the duty and responsibility of each Inspector General, with respect to the establishment within which his Office is established—

(1) to provide policy direction for and to conduct, supervise, and coordinate audits and investigations relating to the programs and operations of such establishment;

(2) to review existing and proposed legislation and regulations relating to programs and operations of such establishment and to make recommendations in the semiannual reports